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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 001013

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TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KDEM](#) [VE](#)
SUBJECT: 34 RADIO/TV STATIONS SILENCED, MEDIA CRIME LAW
INTRODUCED

REF: A. CARACAS 847
[1](#)B. CARACAS 967 AND PREVIOUS

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Classified By: ACTING POLITICAL COUNSELOR DARNALL STEUART,
REASONS 1.4 (B) AND (D)

[1](#)1. (C) Summary: During the weekend of August 1-2, the Government of the Bolivarian Republic of Venezuela (GBRV) shuttered 32 independent and/or opposition radio stations and two TV stations across the country. One day prior to the closings the GBRV released the names of 35 largely pro-Government stations that had already met "licensing requirements." Reaction to the weekend's clamp down was immediate, but limited in comparison to the mass street demonstrations that occurred in 2007 following the closure of RCTV. Also, on Friday, July 31, draft legislation was introduced to the National Assembly that would punish "press crimes" with prison sentences ranging from 6 months to four years. The radio closures in combination with the proposed legislation show the GBRV's determination to bring the independent media to heel or to close it down. End Summary.

34 RADIO AND TV STATIONS SHUTTERED

[1](#)2. (C) Nearly a month after the July 4 announcement by Minister of Public Works and Housing, Diosdado Cabello, of plans to revoke the licenses of 240 radio/TV stations across the country (Ref A), the government media regulatory agency CONATEL suspended the licenses of 32 radio and 2 television stations during the late evening hours of July 31, forcing the networks off the air. GBRV officials argued that the stations targeted for closure had committed various infractions and failed to maintain their licenses or had irregular paperwork. On August 1, immediately following the closures of the networks, President Chavez told PSUV party officials by phone, (and simultaneously broadcast on state media), "We are implementing the law... we have to put them (stations) back in the hands of the people and not the bourgeoisie."

[1](#)3. (SBU) During the weekend of August 1-2, the following stations were closed:

- | | |
|------------------|---------------------------|
| - Amazonas (2) | - (1130AM and 107.5FM) |
| - Anzoategui (1) | - (970AM) |
| - Bolivar (2) | - (Canal 7 TV and 96.9FM) |
| - Carabobo (2) | - (100.1FM and 98.3FM) |
| - Caracas (1) | - (102.3FM) |

- Delta Amacuro (1) - (1270AM)
- Falcon (2) - (CNB 100.1, 96.1FM)
- Guarico (1) - (99.1FM)
- Merida (1) - (106.3FM)
- Miranda (7) - (1520AM, EmisoraFM, 1150AM, 97.1FM, 92.1FM, 1230AM, 96.9FM)
- Nueva Esparta (3) - (99.1FM, 92.9FM, 1140AM)
- Portuguesa (1) - (1170 AM)
- Sucre (2) - (103.3FM, 600AM)
- Tachira (2) - (730 AM)

¶4. (C) One day prior to the GBRV media crackdown, on July 30 CONATEL gave "the green light" to allow the continued operation of 35 largely pro-Government television stations. Although not technically considered a renewal of licenses, CONATEL acknowledged that the applications for at least 35 stations were "legal" and thus the stations could continue to operate. Among the stations granted authorization to continue broadcasting are ANTV (the National Assembly network), VTV (Channel 8 - the government's official station), TVES (the station that was rewarded with RCTV's old slot), Avila TV and Vive TV. Venevision, which claims it is a "fair and balanced" station, but which altered its government coverage in 2002 in response to government threats to shut it down, and Canal I, owned by Chavez supporter Willem Ruperti, also received permission to remain open. This action, which is not a part of the procedure announced in July by Cabello, stems from a 2000 requirement (Law of Telecommunications) by Conatel that media operators submit paperwork to prove the legality of how they obtained and use their operating licenses.

¶5. (SBU) On August 1 several hundred people gathered outside the main offices of the CNB radio network in protest against the closures. The station's director, Zaira Belfort

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warned participants, "This is only the beginning of the closures of free media in Venezuela." Belfort added, "This is a government attack. We want to keep living in a democracy, and once again they've silenced us." Minor demonstrations in support of free press occurred over the weekend of August 1-2, and again on Monday, August 3 in Caracas and cities across Venezuela.

¶6. (SBU) The director of the NGO "Public Space" and close embassy contact, Carlos Correa publicly stated, "We are witnessing the largest ever clamp down on free speech Venezuela has ever seen." Opposition commentators speculated over the weekend that these 34 stations are just the beginning, and opined more stations will be shuttered in the days ahead. In an interview with opposition oriented cable TV station Globovision, Nelson Belfort, current owner of CNB and President of the Venezuelan Radio Chamber, commented, "It is regrettable that they can close (stations) in Venezuela without any due process." .

 DRACONIAN "MEDIA CRIME LAW" PROPOSED

¶7. (C) On Friday, July 31, draft legislation was introduced in the National Assembly that would punish "press crimes" with prison sentences ranging from 6 months to four years. According to the bill, actions that, "threaten social peace, the security and independence of the nation, the stability of state institutions, mental health or public ethics, and actions that cause a state of impunity," and are committed by the media, are all punishable offenses. The bill further stipulates that, "any person who releases false news media that causes serious public disorder, fear and anxiety among the population, or damages to state institutions" will be guilty of a crime. The "manipulation of news," and the refusal of media outlets to reveal the identity of reporters without bylines can also incur up to two years in jail. The legislation, as it is currently written, not only applies to

media owners, but also to journalists, public speakers, conference participants, and artists as well. Under the proposed legislation, anyone who uses media to communicate with the public could potentially be targeted for selective prosecution.

18. (C) Over the weekend of August 1-2, media reported widely on the introduction of the measure, including on Attorney General Luisa Ortega Diaz's comments to the national assembly that lawmakers need to confront, "new forms of criminality created by the abusive exercise of freedom of information and opinion." In presenting the legislation, Ortega Diaz opined, "We cannot endorse, nor allow that the media not have limits on information, because this is an attack against national security. We are in a game of national security vs. freedom of expression. There is a constitutional value to protect national security... we all have the obligation to protect the State."

19. (C) Comment: Pressure against the independent media has been building for some time in Venezuela. Chavez seems to have calculated that by picking and choosing which networks are allowed to operate, the media is likely to slip into self-censorship to minimize the risk of confrontation. Of the 34 stations shuttered, virtually all of them have aired pro-opposition messages in their broadcasts in one form or another. With draft legislation potentially imposing draconian prison sentences on journalists that continue to criticize the regime currently moving through the rubber stamp legislature, Chavez continues to ratchet up the pressure on the opposition and independent media. End Comment.
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